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Attorneys for Defendants  
SAFEWAY INC. and SAFEWAY BENEFIT PLANS  
COMMITTEE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

DENNIS M. LORENZ, Individually and On  
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SAFEWAY INC., BENEFIT PLANS  
COMMITTEE SAFEWAY INC.,  
and DOES 1 to 100 inclusive,

Defendants.

Case No. 3:16-cv-04903-JST

**STIPULATION TO EXTEND TIME FOR  
THE SAFEWAY DEFENDANTS TO  
RESPOND TO PLAINTIFF'S SECOND  
AMENDED COMPLAINT**

Pursuant to Federal Rule of Civil Procedure 12, and Local Rule 6-1(a), Defendants SAFEWAY INC. and SAFEWAY BENEFIT PLANS COMMITTEE (collectively, the “Safeway Defendants”) and Plaintiff DENNIS M. LORENZ (“Plaintiff”) hereby stipulate, by and through their respective counsel, to extend the time by which the Safeway Defendants have to respond to Plaintiff’s second amended complaint (“SAC”) and, in support thereof, state as follows:

WHEREAS, Plaintiff’s SAC was filed on November 21, 2016 (Docket No. 31);

WHEREAS, the Safeway Defendants filed a motion to dismiss Plaintiff’s SAC on December 15, 2017 (Docket No. 38);

WHEREAS, the Court granted in part and denied in part the Safeway Defendants’ motion to dismiss Plaintiff’s SAC by order dated March 13, 2017 (Docket No. 58);

WHEREAS, Plaintiff’s counsel informed the Court and the Safeway Defendants at the March 15, 2017 scheduling conference that Plaintiff may seek leave to further amend his SAC to drop his class action allegations in light of the Court’s order dismissing Plaintiff’s prohibited transaction claims against the Safeway Defendants and Defendant Great-West Life Financial RPS LLC;

WHEREAS, at the March 15, 2017 case management conference, the Court set a deadline for Plaintiff to elect whether the case will proceed as a class action on March 31, 2017 (Docket No. 67);

WHEREAS, pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), Defendants’ deadline to respond to Plaintiff’s SAC is currently March 27, 2017;

WHEREAS, Defendants’ response to Plaintiff’s SAC will necessarily be affected should Plaintiff further amend his SAC to drop his class action allegations;

WHEREAS, this stipulation regarding an extension for Defendants to respond to Plaintiff’s SAC will not alter any dates set by the Court;

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NOW, THEREFORE, the Plaintiff and the Safeway Defendants hereby stipulate and agree as follows:

1. The deadline for the Safeway Defendants to respond to Plaintiff's SAC, or to a further amended complaint filed by Plaintiff in this action prior to the March 31, 2017 cut-off set by the Court in its case management order, shall be extended to: April 18, 2017.

IT IS SO STIPULATED.

DATED: March 16, 2017

TRUCKER ♦ HUSS

By: /s/ R. Bradford Huss  
R. Bradford Huss  
Attorneys for Defendants  
SAFEWAY INC. and SAFEWAY BENEFIT  
PLANS COMMITTEE

DATED: March 16, 2017

SCHNEIDER WALLACE COTTRELL KONECKY  
WOTKYNs, LLP

By: /s/ Jason H. Kim  
Jason H. Kim  
Attorneys for Plaintiff  
DENNIS M. LORENZ, Individually and On  
Behalf of All Others Similarly Situated

I attest that my firm has obtained Jason Kim's concurrence in the filing of this document.

DATED: March 16, 2017

TRUCKER ♦ HUSS

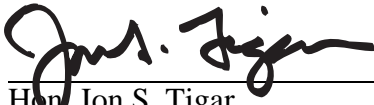
By: /s/ R. Bradford Huss  
R. Bradford Huss  
Attorneys for Defendants  
SAFEWAY INC. and BENEFIT PLANS  
COMMITTEE SAFEWAY INC.

**[PROPOSED] ORDER**

The deadline for the Safeway Defendants to respond to Plaintiff's SAC, or to a further amended complaint filed by Plaintiff in this action prior to the March 31, 2017 cut-off set by the Court in its case management order, shall be extended to: April 18, 2017.

**IT IS SO ORDERED.**

DATED: March 17, 2017

  
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Hon. Jon S. Tigar  
United States District Judge

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